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ABSTRACT

A national survey was conducted of parents of handicapped children to determine how effectively the legal mandates of mainstreaming were working. In the first phase of the investigation, information was sought on parents' awareness of their rights and responsibilities in drawing up Individualized Education Programs (IEPs) for their children. Parent response indicated that the IEP process seemed to be working basically quite well, although there is room for significant improvement. While the majority of parents indicated that IEPs had been developed, it was found that they were not participating as full partners in the process. Parents were not being prepared for participation, and information on how to appeal a contested evaluation or IEP was not made available in many cases. Almost half of the parents felt that the annual goals set in the IEP did not fully meet the educational needs of their children. The second phase of the survey examined the Program Administrative Reviews (PARs) conducted by the Office of Special Education (OSE). IEP-related areas cited by OSE for corrective action were identified to determine the extent of state compliance with the law and to assess the administrative burden and performance of OSE. In the IEP areas studied in the PARs (content and participation, procedural safeguards, and confidentiality of records), serious compliance problems were found in at least one area in every state reviewed. A chart presents the number of states having major problems in each of these areas. A listing is also presented of the states and the problems cited for correction. It is pointed out that the OSE is facing budget problems and is understaffed, making administrative reviews of compliance with Public Law 94-142 difficult and infrequent. (JD)

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A Report on
The Education for All Handicapped Children Act:
Are Parents Involved?

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by Stanley Salett and Anne Henderson

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October 1980

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I. Introduction

As a non-partisan, public interest organization dedicated to increasing parent and citizen involvement in the issues and policies of the public schools, NCCE has had a continuing interest in the Education for All Handicapped Children Act (PL 94-142). This landmark legislation, passed by Congress in 1975, requires the states to provide a free, appropriate public education to all handicapped children, in an environment that is least restrictive as possible.

A major feature of the Act is the requirement for an Individualized Education Plan (IEP) to be developed for each child by teachers, specialists, other school personnel, together with the child's parents, which sets out the goals, objectives, and services for the child. There are also a series of procedural safeguards to protect parents and children, including the right to an independent evaluation of the child (under appropriate circumstances), prior written notice and parent consent for evaluation and all placement changes, and the right to an impartial hearing and appeals if no agreement can be reached between school and parents as to what is best for the child.

With our network of over 325 parent/citizen groups active in local public education, many of them in special education, we share the belief that decisions affecting the lives of children should be open to public scrutiny. In addition, we have found a growing body of research demonstrating that parent involvement in

school activities has a positive effect not just on school policies, but on student achievement as well. Over a decade ago, for example, James Coleman made his now-famous report to the Department of Health, Education and Welfare, which showed, among other things, that student achievement is higher in schools with active parent organizations.¹ And a 1973 HEW study found that two key factors in academic success were students' and parents' expectations, and the extent to which parents engaged in activities supportive of these expectations.²

In addition, the recent report by the Carnegie Council on Children, The Unexpected Minority: Handicapped Children in America³ argues strongly that parent involvement is critical as a corrective to the devastating vulnerability of the handicapped child. In his foreword, Kenneth Kenniston writes, "The greatest harm to the handicapped child stems from the socially engendered impairment of daily life, self-concept, and future--not from functional impairments themselves," (emphasis added).

1. James S. Coleman, et al., Equality of Educational Opportunity U.S. Dept. of Health, Education & Welfare, Washington, DC, U.S. Government Printing Office 1966. See also Christopher Jencks, "The Coleman Report and Conventional Wisdom," in Mosteller & Moynihan (eds.) On Equality of Educational Opportunity, (NY, Vintage) 1972.

2. Mayeske, George W., "A Study of the Attitude Toward Life of our Nation's Students," (Washington, DC, U.S. Department of Health, Education & Welfare) 1973.

3. John Glidzman and William Roth, The Unexpected Minority: Handicapped Children in America, (Harcourt-Brace, NY) 1980.

A child with a disability is often treated as though there is something medically wrong, from which he or she is supposed, somehow, to recover. The child becomes a life-long patient, whose entire family must submit to domination by professionals, and who consequently is excluded from normal expectations. The child's incapacity becomes an excuse for asserting professional expertise, and, as the authors assert, "a more striking abuse of our culture's concept of the expert cannot be imagined. In every handicap specialty," the report continues, "it is essential that parent and professional actively work together on the child's behalf."⁴

Our own experience with parent/citizen groups also leads us to conclude that it is indeed wise policy for the federal government to encourage parent participation in public schools. NCCE has strongly supported the provisions in PL 94-142 requiring parent involvement in the development of individual education plans (IEP's) for their handicapped children, and protecting that right through procedural safeguards and confidentiality requirements.

II. NCCE Study

Although passed in 1975, PL 94-142 gave states and school districts almost 3 years to make plans and develop programs to serve all handicapped children, ages 3-18, including those for whom no services had previously existed. Once the law became fully

4. Ibid., p. 145.

effective, in September 1978, NCCE decided to conduct a survey of parents, to determine from their perspective how well the law was working, and to monitor the implementation of the parent participation provisions. Funding was obtained from the George Gund, Hearst, Field, and New World foundations. No federal funds were involved.

With a research team at Ohio State University, we designed and field tested a survey to answer such questions as

- Are affected parents aware of their rights under the law?
- Have schools notified parents that their presence is required at an IEP meeting?
- Has a meeting been held, and how were parents treated at it?
- Are educators helpful? Are they listening to parents?
- Is the program resulting from the IEP meeting based on what a child needs, or on what the school system has to offer?
- Do parents know they can appeal IEP's made for their child?

Once the survey form was tested and complete, we activated a network of contacts from parent and professional organizations and formed a coalition of more than 400 state and local volunteer groups. Through them we distributed 50,000 surveys to parents of handicapped children. We also received cooperation and publicity from Teacher and Instructor magazines, Education Daily, the American School Board Journal, the National Education Association and the National Association of Elementary School Principals, which reprinted our survey in full and sent it to their entire Communicator

readership list. Although several local PTA's participated in the study, the national PTA would not collaborate.

Nearly 2,500 parents of children with various handicaps, from 438 school districts in 46 states, took the time to complete and return our questionnaire. To our knowledge, it was the only national survey focussed upon parent participation in PL 94-142.

In the next phase of the study, we examined the Program Administrative Reviews (PAR's) conducted by the Bureau of Education for the Handicapped, now the Office of Special Education (OSE), in each state. We identified IEP-related areas cited by OSE for corrective action, to determine the extent of state compliance with the law, and to assess the administrative burden and performance of OSE.

III. The Survey Results

Considering that PL 94-142 had, at the time of the survey, been in effect only one school year, the responding parents indicate that the IEP process seems to be working basically quite well, although there is room for significant improvement.

- Nearly 60% of the parents report that an IEP meeting was held within 30 days of their child's evaluation. Only 6% report that a meeting was never held.
- Over 70% said that the information about their children's evaluations was "fair and useful," that educators presented the IEP "in understandable language," and that there was an opportunity to ask questions.

- According to 83% of the parents, the meetings were well attended; 77% said teachers were present, and 66% said other "school representatives" attended. (Only 18% of the parents, however, reported that their children were present.)
- 70% of the parents reported that the IEP's did contain important basic information: annual goals, short-term objectives, specific services to be provided, present performance levels, and the dates that services were to begin.
- 65% of the parents felt adequately informed about the IEP and 70% felt that the IEP "seemed to fit" their children's needs. Only 5% refused to approve the IEP.

(See Attachment A for the survey form and tabulations).

These figures certainly indicate that the idea of an individual education plan for every handicapped child, drawn up in consultation with the child's parents, has had success.⁵ Such a massive undertaking has required an enormous amount of time, energy, and commitment from everyone involved--teachers, administrators, and parents--and it is a tribute to all of them that it has worked as well as it has.

On the other hand (there is always another hand--President Truman once said that what he needed was a one-handed advisor), there are some substantial problems.

5. A few caveats should perhaps be noted. Because the survey was not done by random-sample, there will be a bias, in that parents most likely to seek active participation in the IEP process would also be the most likely to respond to a questionnaire. A breakdown of respondents by geographical area, size of school district, and sex, age, and handicap of children, however, does correspond roughly to the population as a whole. Copies of the data analysis are available upon request.

- Parents are not participating as full partners in the development of the IEP's:
 - a majority (52%) of the parents reported that the IEP's were completed before the meeting.
 - nearly 30% reported that the IEP's do not contain ways for parents to check their children's progress.
 - 30% reported that the IEP did not indicate how much time the child would spend in a regular classroom setting.
 - 40% reported that no specific date was set for reviewing a child's progress, and one-third reported that no mention was made of how, when, or by whom a child's progress would be checked.
- Parents are not being prepared to participate in the IEP process. In fact, over half the school districts covered in the survey do not have a program to prepare parents.
- Information on how to appeal a contested evaluation or IEP was not made available to nearly 46% of the parents surveyed.
- And while the most basic requirements of the IEP have been met, still a full 45% of the parents reporting felt that the annual goals set in the IEP did not fully meet the educational needs of their children.

A further analysis of the data shows that the parents of mildly handicapped children are generally more satisfied with IEP procedures than are the parents of severely handicapped children. Also, smaller school districts (those serving fewer than 5,000 children), as well as parochial schools and state-operated programs, are having greater difficulty in meeting IEP requirements.

IV. Monitoring of State Performance

The major administrative responsibility for PL 94-142 lies with the State Education Agencies (SEA's), which are required to assure that a free, appropriate public education is available to all handicapped children between the ages of 3 and 18 (§612(2)(B)), and that the Local Education Agencies (LEA's) have carried out all the requirements of the law (§612(6)). To ensure that the states have, in fact, met this responsibility, the Office of Special Education (OSE) schedules Program Administrative Reviews (PAR's) in each state approximately every other year.

For this portion of the study, our staff, together with Policy Analysis from the Youth Policy Institute at the Robert F. Kennedy Memorial, read all the PAR reports and charted the corrective actions dealing directly with parent or public involvement.

There are a few important points about methodology and approach that should be made before the findings are presented. Although OSE is supposed to visit each state every two years, severe shortages of funds and personnel have forced delays and cancellations. Consequently, most states have had only 1 PAR since the law became effective three years ago.

- Arizona, Kentucky, and Massachusetts have not been reviewed since 1977.
- Colorado, Delaware, North Carolina, South Dakota, Utah, and Washington had not, as of this spring, been reviewed since the first half of 1978.

- Reviews scheduled for 11 states this year were cancelled: North Carolina, South Carolina, Kentucky, Delaware, Massachusetts, Arizona, Idaho, Indiana, South Dakota, Utah, and Washington.

The first PAR in a state is intended to determine whether the state education agency can actually make reliable assurances that the law is being fully implemented; that is, whether its administrative apparatus is in working order, its state laws are in accord with federal law, its policies are properly written, and its directives have been adequately disseminated. It is largely concerned with policies, procedures, and systems, rather than actual operating conditions. Although several local school districts are visited as a double check, they are not identified in the report.

The second PAR is conducted primarily through "site visits" to local districts, regional centers for the handicapped, if they exist, and state institutions. All the areas checked in the first report are again checked, to determine the extent of local (or agency) compliance and the effectiveness of the state monitoring system. In the second report, the districts are identified and the corrective actions cited for each one.

Even though a single format was used for each PAR series, allowing standardized comparisons and monitoring of corrective actions, the quality and depth of the reviews varied enormously. No matter what the size, complexity, or reputation of the state, the visits lasted only 5 days, and only in rare cases did the teams have more than 5 or 6 members. (Some of the most recent PAR's

have entailed short advance visits and larger teams, a needed improvement). Also, the cancellation of many second PAR's makes comparison difficult. In some instances, PAR's conducted before or just after the law was effective (10/1/77) had to be compared with others completed 3 years later.

These data should be taken, therefore, more as a measure of the technical assistance, monitoring, and enforcement load of OSE than as a record of its effectiveness. And similarly, the charts represent more the magnitude of problems with state compliance than an accurate picture of their performance. In many states, corrective actions have been taken, and full compliance, at least as far as there is an SEA monitoring system capable of assuring implementation, has been negotiated to OSE satisfaction. It is possible that many of the corrective actions charted have been made by now; and yet it is also possible that many LEA's are still not in full compliance despite state assurances.

In the areas studied, which were IEP procedures, content, and participation; procedural safeguards; and confidentiality of records, we found serious compliance problems in at least one area in every state reviewed (New Mexico has declined to participate in PL 94-142).

- 47 states and the District of Columbia had corrective actions cited for IEP procedures. (Massachusetts was not cited because the PAR took place before the law went into effect; Pennsylvania also was not cited).
- 48 states and the District of Columbia had to take corrective actions to guarantee procedural safeguards (Massachusetts again was excepted).

- 48 states and the District of Columbia had corrective actions cited for procedures to protect the confidentiality of school records (Vermont, the lone exception, was praised for its adherence to the confidentiality requirements).

For a more complete picture, see Chart I.

The major problems identified in IEP procedures were

1. Assuring IEP's for all children in state agencies or private schools (20 states were cited for violation).
2. Having the IEP in effect prior to providing services (18 states cited).
3. Rounding up the proper participants for the IEP meetings (36 states, 25 cited for inadequate efforts to include parents).
4. Arranging timely notification and convenient meeting times for parents, and keeping records of attempts to reach parents (30 states cited).
5. Ensuring that basic IEP contents are complete (34 states cited).

The problems with procedural safeguards lie primarily in:

1. Informing parents of their right, under prescribed circumstances, to an independent evaluation, at no cost, to an impartial due process hearing, and to an appeal (43 states cited).
2. Giving prior written notice to parents about their child's placement and obtaining their consent (40 states cited).
3. Adhering to proper hearing timelines (17 states cited).
4. Providing surrogate parents when needed (35 states cited).

Nearly every state (except Massachusetts) had to take corrective action in at least one of these areas. Again, for a more complete picture, see Charts I and II.

The third provision for parents' and children's rights, confidentiality of school records, was also not well enforced.

School districts have been required since 1974 by the Buckley Amendment (Family Educational Rights and Privacy Act) to implement a school records policy protecting the confidentiality of a child's records and guaranteeing access to parents.* The only additional safeguard for handicapped children provided by PL 94-142 is that parents may request that, once their educational value has ended, any personally identifiable information in their child's records may be destroyed.

1. Most school districts lacked proper procedures to shield the records from unauthorized access, and most failed also to keep a record of who had obtained access (34 states cited).
2. In at least 30 states, parents were not informed of their right to have records destroyed.
3. Lists of types and locations of records are not maintained in many states (22 were specifically cited) (see Chart II).

According to OSE staff, there is no real evidence that parents are being deliberately denied the right to see their children's records, but the PAR's clearly show a pervasive pattern of sloppiness at the district level and inadequate direction from the states. The review teams from OSE seemed also to assign confidentiality a low priority, for the reviews of records procedures were seldom thorough or precise. In two states where corrective actions were cited during the first PAR, confidentiality was not mentioned in the second, otherwise more thorough, report (DC and Virginia).

*A 1977 NCCE study of local school district compliance with FERPA found additional significant shortcomings. In a sample of 169 school districts in 29 states--only 45% informed parents that they have the right to appeal to federal authorities--only 44% routinely provided parents with copies of the law, and--only 34% informed parents that school records may include material on microfilm or computerized data.

V. Conclusions

To those familiar with other reports on PL 94-142, and with the voluminous testimony that the Congressional subcommittees heard over the past year during their oversight hearings, their findings will not come as a surprise. The Education Advocates' Coalition Report last spring, for example, found that many handicapped children had not received IEP's or that the IEP's were "canned," (i.e., prepared before the IEP meeting, using standardized language), that most states have no system for appointing surrogate parents, and that inadequate notice of rights under the law and unnecessary procedural hurdles are often used to discourage parents from full participation.⁶ These problems were evident both in this survey and in the PAR's.

Many excellent recommendations were made in the Advocates' report, in other reports, and in the testimony presented. They will not be recapitulated or repeated here, but we do have some observations and further recommendations that others may find useful.

In both legislation and regulation, the law offers too little guidance on parent participation. Other major federal education programs devised to serve a specific category of children in need--Title I, ESEA, the Bilingual Education Act, the Emergency School Aid Act, for example--recognized the importance of an

6. "Report by the Education Advocates' Coalition on Federal Compliance Activities to Implement the Education for All Handicapped Children Act," (Children's Defense Fund, Washington, DC) April 16, 1980.

independent committee or council, composed of a majority of parents, to provide help to other parents and to hold local officials accountable for the use of federal funds. Despite the commendable avenues for individual parent involvement required in 94-142, there is no mention of local parent councils. It is our experience that when state and local education agencies seek outside opinion, if they seek it at all, they work only with a select set of people and often in a very closed way.

Yet the Carnegie Council report concludes that "perhaps more than anything else, it is essential that parents of handicapped children organize themselves into self-help groups,"⁷ (emphasis added). These can provide parents with alternative sources of information and moral support, as well as the greater leverage against professionals and the school system so necessary to counteract their children's vulnerability.

Accordingly, we recommend that:

- Guidelines be written, or the regulations amended if necessary, to permit use of local administrative funds (up to 5% of an LEA allocation) to support a parent advisory group offering services such as--
 1. Providing basic information on PL 94-142 to all parents of handicapped children in the local school district, including information on how to appeal an evaluation, an IEP, or a placement.
 2. Reviewing the local school system's plan for implementing PL 94-142 and holding public meetings on the plan.

7. Glidzman & Roth, op. cit., p. 170

3. Developing a roster of interested citizens and agencies, including parent/citizen organizations, which can offer services and should be informed of the group's activities.
 4. Encouraging and assisting school personnel to conduct a parent training program about the law, the IEP process, and to answer questions parents may have.
 5. Assisting school personnel in a training program for teachers on how to work with parents on the IEP.
- OSE policy papers on IEP's should strongly recommend that all IEP's contain specific items for parent involvement:
 1. How to check the child's progress.
 2. At-home activities that can reinforce the education program.
 3. Check-point intervals for parents to confer with teachers and to revise and update the IEP. (Over 40% of the parents we surveyed stated that no date or method for reviewing progress was specified.)
 - OSE should also specifically require, in its policy papers and through its monitoring system, that an IEP may not be completed before the parent meeting, that a completed copy be made available to parents a reasonable time after the meeting, and that all parents be informed at the meeting of their right to an appeal.

In light of the Carnegie Council report and the experience, not only of advocacy groups but of professionals in special education, who strongly endorsed the parent involvement provisions in the original legislation, the strongest possible parent participation is necessary for full success of this program. These recommendations are within the intent of the law and could be implemented easily and with minimal cost.

The remainder of the conclusions deal with the second part of the study, the federal and state administration of PL 94-142,

specifically the parent involvement provisions. Given the magnitude of this law--the tremendous change in state and local policy and practice it requires--and its status as a virtual civil rights act, it is clear that the Office of Special Education is painfully under-staffed and under-budgeted.

The funds that OSE receives to administer PL 94-142 do not come out of program appropriations, but are instead a portion of the separate lump appropriation the Department of Education receives for salaries and expenses. This is true for all federal education programs, whether they are run directly from Washington or through the State Education Agencies, with monitoring from Washington. Although the large formula grant programs, such as Title I, ESEA, Vocational Education, and PL 94-142, which are largely run by the SEA's, provide administrative set-asides proportional to their dollar size, usually 5% of the total grant at both SEA and LEA levels, there is no such system at the federal level. If we compare the ratio of administrative funds to program appropriations among these programs, which are structurally similar, there are surprising discrepancies:

Program	Ratio of Administrative to Program Funds (FY 80)
Vocational Rehabilitation	\$10.93 per \$1000
Vocational and Adult Ed.	6.54 per \$1000
OSE (94-142)	5.72 per \$1000
Total Department	\$16.49 per \$1000

If the funds to oversee the state programs, the part of the law with which this report is concerned, are separated from

those to administer innovation and development, media services, and the gifted and talented programs, the ratio is much lower-- \$1.98 per \$1000.⁸

The Division of Assistance to States, which is responsible for policy development, technical assistance, and enforcement, not only lacks adequate staff and funding, it has also been poorly organized. A 1977 plan to establish three branches, one for each function, was never approved. Consequently, since January 1978, enforcement and technical assistance have both been lodged in the Field Services Branch. The job to review all state plans, conduct all PAR's (each state plus Puerto Rico, the Virgin Islands, and the Trust Territories, every two years), and monitor all corrective actions, has fallen to a staff of sixteen professional staff and three Section Chiefs.

It is generally agreed among advocacy groups and agency staff that a review schedule of every two years is minimal, especially considering the enormous problems of compliance documented here, and that the staffing level to do even that is low.⁹ But compounding the problem is the fact that there

8. These figures were supplied by the Dept. of Education budget office:

	S&E Funds	Program Funds (FY 80)
Vocational Rehabilitation	\$9,854,900	\$901,120,000
Vocational & Adult Ed.	6,077,700	928,396,000
OSE	6,044,200	1,055,305,000
DAS/OSE	1,875,000	942,900,000
Total Department	238,638,000	14,470,266,000

9. Education Advocates' Coalition, op. cit., pp. 11, 15, 20.

have been several vacancies in the Field Services Branch over the past few months that cannot be filled because of the general freeze on hiring throughout the entire government. This has meant that eleven PAR's had to be cancelled this year, three in states that have not been reviewed since 1977.

There is also a larger question of the wisdom of assigning both assistance and enforcement functions to a single official, aside, of course, from the basic problem of overload. In practice, it seems to result in protracted negotiations, not just over the PAR findings (while the average lapse between site visit and final report is 3½ months, for some states it is as long as 6 months, and for two states a full year), but over the timelines for corrective actions, too. In the eleven states where two PAR's had been completed at the time of our study, nearly every one had the same problems cited the second time as had required corrective action in the first report.¹⁰ (See Chart III).

On September 29, as the final version of this report was being written, OSE announced that a reorganization plan has finally been approved. Compliance and technical assistance will be separate functions, each with its own branch chief and staff. Policy development, the third branch, will remain separate. Dr. Ed Sontag, the Acting Director of the Division of Assistance to States, has assured us that compliance will be its top priority,

10. The process of monitoring corrective actions at OSE is not monitored clearly enough to study more systematically how long it takes the states to meet their timelines.

that thirty-one states will be visited this year, and that all cancelled PAR's have been rescheduled.

A decision has also been made to increase Division staff by ten professionals. The technical assistance branch (Field Services) will have a Chief and 23 professionals (an increase of four), and the new compliance branch will have a Chief and 11 professional staff.

Because we held a long series of meetings with the Division staff while the reorganization plan was being designed, much of the information contained in this report has had a formative effect. While we are delighted that the reorganization has been approved, we do feel that the staffing level is still inadequate. If the former staff of nineteen professionals could not meet its compliance load, as this report clearly shows, the new compliance staff of eleven professionals, even relieved of technical assistance responsibilities, is going to be hard-pressed.

It hardly seems fair to criticize OSE further, when it has only just been given the means for self-improvement. The staff we have worked with in preparing this report has been very competent, cooperative, and self-critical. It is, in fact, the most highly impressive and professional staff we have encountered in a government agency. If the bureaucracy is bloated and inefficient, as its critics allege, the evidence is not to be found at OSE; and we wonder what the effect of the mandated reduction of 500 personnel that was required for a separate Department of Education will be on its performance.

Nevertheless, a few recommendations should be made here. Now that OSE petitions for increased staff and reorganization have been heard, these measures will undoubtedly be favorably considered:

- The schedule for PAR's should be changed and made more flexible. States with serious compliance problems should be visited more frequently than those with better records. The length of the visit and the size of the team should also be adjusted according to circumstance. Other recommendations about better use of data, cooperation with the Office of Civil Rights, and contents of the PAR's have already been made by other groups, especially the Advocates' Coalition, and we fully support them.
- A visible, regularly updated, and comprehensive system of monitoring corrective actions is desperately needed. Information, correspondence, and documentary materials from each state now lie about in folders, and it is impossible easily to determine its status on meeting timelines or taking action.
- OSE needs, at minimum, to identify and disseminate "best practices" among the states. In some areas, such as IEP manuals for parents or teachers, or examples of proper written notice, OSE should develop its own models for recommended use. Many school districts are groping in the dark and a system of trial and error is not only harmful but unnecessary.

- OSE should be more sensitive to the needs of parents when it develops materials for state and local officials. The otherwise well-done recent policy paper on IEP's drafted by the Division of Assistance to States (May 23, 1980), for example, does not consider any of the items we considered above--assisting parent groups; revising IEP's to contain specific times for review, supportive at-home activities, or ways to check a child's progress; discouraging "canned" IEP's, informing parents of hearing rights at the IEP meeting, and providing copies of IEP's--all issues raised regularly by parent advocacy groups.
- OSE should also develop a compliance/monitoring agreement with the FERPA office, similar to that worked out with OCR.

NCCE plans to hold another series of meetings with OSE and Department staff about these recommendations, and to issue a follow-up report sometime next spring.

For further information please contact Stanley Salett.

14. A specific date was set for reviewing my child's progress under this IEP. 44.9 Yes No 40.0

15. The method of checking my child's progress in the IEP included:
how it would be checked 45.8 Yes No 32.1
when it would be checked 42.8 Yes No 34.5
who would be responsible for making sure it's done. 43.9 Yes No 31.5

16. Some regular class placements for my child were considered during the IEP meeting. 45.7 Yes No 33.7

17. Every attempt was made by educators to provide services for as much time as possible in a regular classroom. 49.3 Yes No 27.5

18. A completed copy of the IEP was:
made available to me to look at, 66.4 Yes No 7.3
made available to me to keep. 58.3 Yes No 20.2

19. The IEP for my child was completed before the meeting with me. 51.9 Yes No 28.6

What Were Your Feelings About the Following:

20. Educators presented information during the IEP meeting in understandable language. 79.7 Yes No 7.1

21. I was given the opportunity to ask questions about points I didn't understand regarding the IEP. 82.4 Yes No 4.4

22. I was encouraged to contribute significant information to my child's IEP. 69.8 Yes No 16.2

23. The IEP that was developed seemed to fit my child's needs. 70.2 Yes No 14.0

24. Educators provided information that helped me understand the IEP process. 63.0 Yes No 22.7

25. I felt like a fully participating member with the educators during the planning of the IEP. 59.4 Yes No 26.0

26. The school which my child attends has a program for preparing parents to participate in the IEP process. 26.2 Yes No 51.2

27. I refused to consent to the IEP. 5.2 Yes No 78.5

28. I was given specific information on how to appeal the program assignment decisions in the IEP. 34.0 Yes No 45.8

29. I was asked to assume costs connected to services in my child's IEP. 5.2 Yes No 79.9

30. I am hopeful that the IEP for my child will improve next year. 64.0 Yes No 11.0

Other comments:

Please feel free to give us any additional comments

about your IEP experiences: _____

Insert the completed form in envelope provided.
Your 15¢ stamp saves us 20¢.

National Committee for
Citizens in Education (NCCE)
Suite 410, Wilde Lake Village Green
Columbia, Maryland 21044

Return as soon as possible.
but no later than May 1, 1979

A PARENT- CITIZEN SURVEY

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Improving Services
for Children in Special Education

Public Law 94-142 (The Education for All Handicapped Children Act of 1975) is a federal law which provides for a free and appropriate public education for all handicapped children regardless of the degree or type of handicap. This law also requires that a written educational program (IEP) be developed for each child to meet his/her unique educational needs.

This questionnaire is designed to find out about the parents' views concerning one aspect of this law—the Individual Educational Plan (IEP). We value the amount of time and help you are about to give. Keep in mind that your help could improve services for children throughout the country. As one example, we plan to produce a handbook for parents on how to participate more successfully in the IEP process.

School Building _____

School System _____

Parent's Name _____

Address _____
Street City State Zip

Child's Age ____ Sex: M ____ F ____

What is your child's primary handicapping condition?

Is your child in a public school? Yes ____ No ____

If NO, what type of school? i.e., parochial, private, state

Your phone number (would be held confidential) could be helpful to us if we want to follow up.

Area Code _____ Number _____

Please answer the following questions after you have attended the meeting at which your child's IEP was developed for the coming school year.

Parts and Procedures of the Individual Educational Plan

Please Circle your answer

1. The IEP meeting was held within 30 days following evaluation of my child. If NO, please check when the IEP meeting was held following the evaluation:

	6.0	2.9	1.7	Yes	No
2 mos. later	0.9	5.5	6.0		
3 mos. later					
4 mos. later					
5 mos. later					
6 mos. later					
never					

2. The information from my child's evaluation before the IEP was fair and useful for planning a program for my child.

	71.3	11.3	Yes	No
My child	17.9	60.2		
Child's teacher	77.4	7.7		
School representative (other than child's teacher)	66.4	13.9		
Parent or Guardian	83.2	3.2		

Other _____

4. The IEP for my child contained the following items:

	76.1	8.9	Yes	No
•annual goals	73.2	11.0		
•short-term objectives	70.8	12.3		
•specific service(s) to be provided	75.7	8.9		
•present level of performance	67.2	15.5		
•date services were to begin	62.0	29.3		
•ways to check my child's progress	51.2	29.7		
•special materials, equipment or media	50.8	28.2		
•percentage (%) of time in regular class placement	77.1	7.0		
•place for me to indicate my approval	65.6	19.4		
•educators informed me of how the IEP would be developed and what would be in it				

Please Circle your answer

5. The description of my child's present educational performance in the IEP included information in all four of these areas:

	66.1	18.9	Yes	No
•self-help skills (personal maintenance)	72.8	1.7		
•academic skills (reading, math, etc.)	67.1	5.2		
•social behavior (how s/he gets along with others, etc.)	58.2	2.7		
•physical skills (coordination, running, etc.)				

6. There were major areas of educational needs for my child which were ignored during the IEP meeting.

	10.5	62.4	Yes	No
7. The short-term objectives are written as specific steps my child will achieve in the next three months or more.	58.5	21.2		

8. The short-term objectives did seem closely related to the annual goal(s).

	62.6	11.9	Yes	No
9. The annual goal(s) in the IEP did not fully meet the educational needs of my child.	44.9	28.6		

10. The IEP clearly stated what specific service(s) my child would be receiving.

	64.0	16.8	Yes	No
11. The dates for the beginning of services for my child were quite clear.	36.5	43.8		

12. I know when the IEP services will end for my child.

	37.3	70.1	Yes	No
13. The service(s) for my child in the IEP was determined by what was available rather than what was needed (for example: if a certain service was known to be needed but the final decision was made based on what the school district currently had).				

(continued . . .)

CHART I: MAJOR PROBLEM AREAS IN MOST STATES

	# of States Cited for Corrective Action (& DC)
I. Individualized Education Plans (IEP's)	48
1. The SEA assures an IEP for each handicapped child served by a public agency.	20
2. The SEA assures an IEP for each child referred/placed in a private facility by a public agency.	20
3. The IEP is in effect prior to provision of services.	18
4. Participants in the IEP meeting include a representative of the public agency, the child's teacher and parents, the child (if appropriate), evaluation personnel, and others necessary.	36
5. Parent participation includes timely notification, mutually convenient time and place for meeting, and records of attempts to involve parents.	30
6. The IEP contents are complete and contain present performance level, goals and objectives, special education and related services to be provided, extent of participation in regular education programs, start and length of services, evaluation criteria and procedures.	34

II.	Procedural Safeguards	49
1.	All relevant state agencies have procedures consistent with SEA guidelines.	22
2.	Procedures have been implemented to assure: opportunity to examine records; right to an independent evaluation and due process hearing; prior notice and parent consent for evaluation and all placement changes; right to an impartial hearing, to an appeal, and to civil action; adherence to timelines; agreement on child's status during proceedings; and availability of surrogate parents.	49
III.	Confidentiality	49
1.	Procedures have been implemented to cover: • notice to parents • access rights • record of access • list of types and location of information • fees • amendment of records at parent request • opportunity for hearing • parent consent to release information • safeguards	

of States
Cited for
Corrective
Action (& DC)

- destruction of records
 - children's rights
 - enforcement 48
2. All relevant state agencies have
implemented procedures consistent with
state guidelines. 20

CHART II: PL 94-142: MONITORING SEA PERFORMANCE (from Program Administrative Reviews conducted by the
Bureau of Education for the Handicapped 1977-1980)

x = Corrective Action Required

DATE	STATE	INDIVIDUAL EDUCATIONAL PLAN (IEP)						PROCEDURAL SAFEGUARDS		CONFIDENTIALITY		(MONTHS)
		SEA Assures Public Agency	SEA Assures Private Agency	In Effect Prior to Services	Held Within 30 Days	Proper Participation	Proper Parent Notification	Contents Complete	State Agencies Consistent	Rights Assured	Procedures in Place	State Agencies Consistent
2/79	ALABAMA					x	x	x	x	x	x	2
5/80	ALASKA					x	x	x	x	x	x	6 6
12/77	ARIZONA		x			x	x	x		x	x	1
1/79	ARKANSAS			x		x		x	x	x	x	1
1/78	CALIFORNIA					x		x		x	x	1
4/78	COLORADO					x		x		x	x	3
2/80	CONNECTICUT	x				x	x	x		x	x	3
4/78	DELAWARE							x		x	x	0
4/78	DISTRICT OF COLUMBIA					x	x		x	x	x	1 4
3/78	FLORIDA	x						x	x	x	x	3
4/79	GEORGIA			x		x	x	x	x	x	x	1
5/78	HAWAII	x	x	x	x	x	x	x	x	x	x	1 5
4/79	IDAHO	x				x	x	x	x	x	x	12
6/78	ILLINOIS		x	x			x			x	x	7 7
8/78	INDIANA						x			x	x	8
10/79	IOWA	x	x	x	x	x	x	x		x	x	1 8
6/79	KANSAS	x				x		x		x	x	2
11/77	KENTUCKY	x				x				x	x	0
3/79	LOUISIANA	x				x	x	x	x	x	x	3
6/79	MAINE				x	x				x	x	2
4/77	MASSACHUSETTS	(conducted before PL 94-142 was to take effect)									x	6
4/79	MARYLAND	x		x	x	x	x			x	x	0
4/79	MICHIGAN	x	x			x		x		x	x	12
1/79	MINNESOTA					x		x		x	x	8

DATE	STATE	INDIVIDUAL EDUCATIONAL PLAN (IEP)						PROCEDURAL SAFEGUARDS		CONFIDENTIALITY		(MONTHS)
		SEA Assures Public Agency	SEA Assures Private Agency	In Effect Prior to Services	Held Within 30 Days	Proper Participation	Proper Parent Notification	Contents Complete	State Agencies Consistent	Rights Assured	Procedures in Place	State Agencies Consistent
3/79	MISSISSIPPI		x			x	x	x		x	x	3
3/79	MISSOURI						x	x	x	x	x	3
7/79	MONTANA		x				x	x		x	x	3
7/79	NEBRASKA			x	x		x		x	x	x	3
6/79	NEVADA	x	x	x		x		x	x	x	x	6
3/78	NEW HAMPSHIRE		x	x		x	x	x	x	x	x	3
10/79	NEW JERSEY		x	x		x	x	x	x	x	x	5
11/79	NEW YORK	x	x	x		x	x	x	x	x	x	6
1/78	NORTH CAROLINA		x	x				x	x	x	x	3
8/78	NORTH DAKOTA	x		x		x		x		x		3
4/79	OHIO					x		x	x	x	x	4
3/79	OKLAHOMA		x	x		x	x	x	x	x	x	1
4/79	OREGON	x	x			x	x	x		x	x	4
7/79	PENNSYLVANIA							x	x	x	x	2
7/79	RHODE ISLAND				x	x	x	x		x	x	2
7/78	SOUTH CAROLINA		x			x		x		x	x	2
2/78	SOUTH DAKOTA		x			x	x			x	x	2
6/79	TENNESSEE			x		x	x	x	x	x	x	1
5/78	TEXAS	x	x	x			x	x		x	x	3 4
2/78	UTAH	x				x	x			x	x	3
4/79	VERMONT		x				x	x		x		3
1/78	VIRGINIA	x		x	x		x	x	x	x	x	2
4/78	WASHINGTON	x	x			x	x	x	x	x	x	
2/79	WEST VIRGINIA							x	x	x		1

x = Corrective Action Required

DATE	STATE	INDIVIDUAL EDUCATIONAL PLAN (IEP)							PROCEDURAL SAFEGUARDS		CONFIDENTIALITY		(MONTHS)	
		SEA Assures Public Agency	SEA Assures Private Agency	In Effect Prior to Services	Held Within 30 Days	Proper Partici- pation	Proper Parent Notifi- cation	Contents Complete	State Agencies Consistent	Rights Assured	Procedures in Place	State Agencies Consistent	Time Lapse Between PAR & Final Report	
8/78	WISCONSIN	x		x	x	x		x		x	x		5	5
7/78	WYOMING	x	x			x	x			x	x		4	
	TOTAL	20	20	18	8	36	31	34	22	49	49	19	avg- 3.6	

CHART III: PL 94-142: MONITORING SEA PERFORMANCE--The Persistence of Problems in States with 2 PAR's

DATE	STATE	INDIVIDUAL EDUCATIONAL PLAN (IEP)					PROCEDURAL SAFEGUARDS		CONFIDENTIALITY			
		Assur- ance	Prior to Services	All Parti- pants	Parent Parti- cipation	Contents	State Agencies	LEA's	Notice	Access Records	List of Records	Destruction of Records
3/78 10/79	ALASKA			x	x	x	x	x	x	x		x
				x		x		x		x	x	
2/78 4/80	D.C.	x not mentioned		x	x		na na	x x	x not mentioned	x		x
4/78 2/80	HAWAII	x x	x	x	x	x		x x		x x	x	x
11/77 11/79	ILLINOIS	x x	x x	x x		x	x x	x x	x	x x		
3/78 1/80	NEW HAMPSHIRE			x	x	x	x x	x x	x x			x x
3/78 11/79	NEW YORK	x x	x	x	x	x	x x	x x	x x	(no agency met all requirements)		
2/78 2/80	TEXAS	x x	x x	x x	x x	x	x x	x x	x	x x	x x	x x
1/78 5/80	VIRGINIA	x	x x	x	x	x	x x	x x	x not mentioned			x
8/78 12/79	WISCONSIN	x	x	x		x	x x	x x	x x	x x	x x	x x
5/78 2/80	CONNECTICUT	x		x	x	x	x x	x x	(local policies inadequate)			x
1/78 10/79	IOWA	x x	x	x	x	x	x x	x x	x		x x	x x